

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

POLY-AMERICA, L.P.

Plaintiff,

v.

Case No. 4:20-cv-00837

API INDUSTRIES, INC.,

Defendant.

**[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO DISMISS PURSUANT
TO RULE 12(b)(2) AND RULE 12(b)(3)**

Having carefully considered Defendant API Industries, Inc.'s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(2) for lack of person jurisdiction and 12(b)(3) for improper venue, this Court GRANTS the motion.

IT IS HEREBY ORDERED THAT Plaintiff's Complaint is dismissed without prejudice pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3).

IT IS SO ORDERED.